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C O N F I D E N T I A L SECTION 01 OF 03 ADDIS ABABA 002261

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DEPARTMENT FOR AF DAS YAMAMOTO, AF/E, AND DRL: KGILBRIDE
LONDON, PARIS, ROME FOR AFRICA WATCHER

E.O. 12958: DECL: 08/10/2016

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SUBJECT: ETHIOPIA: CODEL PAYNE VISIT TO CUD DETAINEES
REVEALS DIVERSE VIEWS

REF: ADDIS ABABA 02179 (AND PREVIOUS)

Classified By: CHARGE D'AFFAIRES VICKI HUDDLESTON. REASON: 1.4(D)

¶11. (C) SUMMARY. In a visit with four detained Coalition for Unity and Democracy (CUD) leaders, CODEL Payne and Poloff had extensive discussions regarding prison conditions, evidence being presented in their treason trial, current regional politics, and what the future holds for Ethiopia. The visitors saw the detainees (Berhanu Nega, Mesfin Wolde-Mariam, Yacob Haile-Mariam, and Birtukan Mideksa) separately, which provided an opportunity to a variety of opinions and attitudes towards hope of possible reconciliation with the ruling Ethiopian People's Revolutionary Democratic Front (EPRDF). All were critical of the trial and feel that the outcome is predetermined. However, most appreciated Post's efforts in monitoring the proceedings. END SUMMARY.

¶12. (U) On August 8, Poloff accompanied Congressman Donald Payne and Congressional Research Staff (on detail to House International Relations Committee) Ted Dagne to Kaliti prison to meet with CUD leaders Berhanu Nega, Mesfin Wolde-Mariam, Yacob Haile-Mariam, and Birtukan Mideksa, who are among the nearly 90 opposition members, journalists, and NGO representatives detained since November on charges of treason and related offenses. The visitors had also requested to see CUD Chairman Hailu Shawel, but were told that he had been hospitalized due to conditions related to diabetes. Prison officials insisted that the prisoners be seen individually, rather than together as the CODEL had requested.

BERHANU PLEASANT, BUT STAYS ON MESSAGE

¶13. (C) Upon arrival at Kaliti, CODEL Payne and Poloff were led to a small office near the entrance of the prison. A few moments later, prison guards returned escorting Berhanu Nega, who warmly greeted the visitors. After everyone took their seats, the prison guards left the visitors alone with Berhanu, with no apparent monitoring of conversation. Berhanu's outward appearance suggested that he is now being kept in reasonable conditions following his court-ordered transfer for health reasons)- he wore cleaned and pressed street clothes, was well groomed and did not appear to be suffering for adequate food.

¶14. (C) Asked about prison conditions, Berhanu responded that he is in satisfactory condition after being moved to a cell

where he "can finally breathe." He explained that he shares his current cell with Professor Mesfin Wolde-Mariam, located in a block of cells containing 13 other prisoners -- a significant change from his previous detainment with 250 prisoners. Asked what he does during the day, Berhanu explained that the prison grounds are small and there is little to do other than read. He said he looks forward to weekend visits from family and friends, though he complained about guards monitoring family conversations. The conversation then turned to the CODEL visit, as Berhanu recalled seeing a recent state-run television broadcast quoting Payne observing that the May 2005 elections were "free and fair." Congressman Payne stated that in his opinion the run-up to the elections were transparent, but afterwards is when the country had problems.

¶5. (C) Berhanu then moved on to political matters affecting the region, asking CODEL about USG policy in Eritrea and Somalia, which Berhanu largely criticized. CODEL replied that they shared concerns about USG policies toward Somalia. Asked about possibility of reconciliation with the former CUD colleagues who have taken their seats in parliament, Berhanu became more heated, explaining that the formation of the Coalition for Unity and Democracy Party (CUDP) was a plot by the ruling (EPRDF) to divide the CUD. He then claimed that the USG "abandoned" the CUD following the elections.

(COMMENT: DOS has closely monitored the detainees, as has the Embassy. Charge has visited Berhanu Nega twice and Embassy has been in contact with their family members. Improvements in prison conditions and attention to health concerns have resulted from Embassy's intervention. END COMMENT.) CODEL raised Payne's co-sponsorship of the "Ethiopia Freedom, Democracy, and Human Rights Advancement Act of 2006" and

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detailed its provisions as Berhanu said that media reports presented few details of the substance. Following this, Berhanu politely excused himself, saying that other prisoners were waiting to see CODEL and Poloff. Berhanu expressed appreciation of Post's efforts in monitoring the proceedings of his trial and hoped it will continue once the trial resumes in October.

MESFIN STRIKES TONE OF WISE ELDER

¶6. (C) The next detainee brought in was Professor Mesfin Wolde-Mariam. Seventy-six year-old Mesfin walks with a cane and needed assistance from prison guards to make it up the steps to the meeting room. However, when asked about his health and prison conditions, he had very little negative to say. Despite a spinal cord injury sustained many years prior, he said that he has previously seen Western doctors about the matter and that no additional treatment is necessary. He said that otherwise his health is stable and prison conditions are no worse than could be expected. (NOTE: Mesfin was previously detained on treason charges in 2001 and held for several months. END NOTE.) CODEL informed Mesfin that he has been awarded a lifetime achievement award by the National Academy of Sciences and that there will be a ceremony in his honor in September. Mesfin expressed regrets that he would not be able to accept in person, but hoped his daughter would attend on his behalf.

¶7. (C) When CODEL queried Mesfin on the current political situation in Ethiopia, Mesfin launched into a very long and philosophical analysis of the circumstances that the EPRDF faces, both internally and externally, as well as the possible future of the CUD. He explained that he personally understands the "predicament that Meles Zenawi backed himself into" with regards to relations with Eritrea and the EPRDF's ability to work with the CUD, saying the Meles' policies had put him in a position in which it is difficult to solve conflicts with either. Mesfin was not angry when discussing political issues, but rather struck a tone of an elder

disappointed and concerned about the situation that Meles now faces. Further Mesfin expressed hope that Ethiopia "can go the way of South Africa in terms of reconciliation," whereby the GoE and the CUD can finally make amends in the future, but noted that lack of a "middle man that is trusted by both sides." He mentioned that the churches in Ethiopia have lost the respect they once had to serve in this capacity and that another actor would have to mediate if the two sides are to find agreement.

YACOB SEEKS RECONCILIATION

¶ 18. (C) Yacob Haile-Mariam appeared in good condition and did not report any significant problems, saying "The prison does the best they can under the circumstances." When the topic of the trial was raised, Yacob's tone changed considerably, expressing anger and frustration with the prosecution's presentation of their case. At one point, in referring to videos presented by the prosecution in the initial stage of evidence, Yacob, a former attorney, claimed that "If I were the defense attorney in this case, I would consider presenting such videos as defense evidence." Despite weakness in the prosecution's case, he believes he will likely be convicted in the end.

¶ 19. (C) Yacob expressed regret that that he was detained at all, saying that he returned to Ethiopia after living in the US to "help his country to create a better future" and still wants to do so. He told CODEL that he "has accepted the EPRDF as the legitimate government" and "accepted the constitution unconditionally." He made it clear he is now willing to talk to the EPRDF, but he "doesn't know what they want from us" because "after the breakdown of talks (in 2005), there has been no communication between the EPRDF and (detainees)." Though he cautioned "We are not unanimous in this feeling," if he were able to "hear what the EPRDF wants from us, and gives us a proposal, then we can agree and move on." Yacob concluded by saying that he appreciates the role the US has played over the last year in working with the CUD leadership, and that he is grateful that Post is actively

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following his trial.

BIRTUKAN ANGRY AND UNAPOLOGETIC

¶ 10. (C) The final prisoner to meet with CODEL Payne and Poloff was CUD Vice-Chair Birtukan Mideksa. A former High Court judge, Birtukan spent most of the meeting giving her opinions on the evidence presented in the trial and its "predetermined outcome," complaining of poor treatment in prison, and criticizing USG policy prior to the arrest of CUD leaders. She began by telling CODEL not to "expect too much fairness in the trial, because the outcome has already been decided by the EPRDF." She went on to say that the public has been "propagandized to believing that (she and other CUD members) are guilty, from the accusations presented by the prosecutor in the press." She told CODEL not to "expect for us to be released" because the verdict is already decided due to the fact that the "judges had been instructed" by the EPRDF. She also complained about the prison's treatment of other detainees. She cited complaints made by other defendants in the prior session of the trial (reftel), as well as generally poor treatment by officials in the women's area of the prison.

COMMENT: CUD LEADERSHIP DIVIDED ON WAY FORWARD

¶ 11. (C) None of the four detainees visited by CODEL Payne and Poloff complained of their own mistreatment by prison

officials. In observing their interaction with guards, they seem to be reasonably well taken care of. All prisoners outwardly seemed to be in satisfactory condition, and none complained of personally being denied healthcare at this time.

¶12. (C) Each of the four prisoners were equally critical of the case the prosecution has presented against them. They remarked that the evidence was very weak, and that they feared that, in the end, they may be found guilty despite of the lack of a strong case by the GoE. Conversely, their attitudes toward possible reconciliation ranged broadly. On one end Birtukan was very defiant and critical towards both the EPRDF and the USG, seeming much more provocative than conciliatory. On the other end, Yacob continues to have hope that through continued dialogue, he and other CUD leaders can put the events of last year behind them. Mesfin also seems to see a possible solution, though while his remarks were positive and somewhat hopeful, he also alluded to resignation that any resolution was probably not imminent. Berhanu, while friendly and interactive, continued to use the harsh rhetoric toward the GoE he has presented in the past. While not directly discouraging any talk of resolution, he also continues to be unbending in his attitude towards the EPRDF and the CUDP.

¶13. (U) CODEL Payne did not have the opportunity to clear this cable prior to departure.

HUDDLESTON